

STAYED,TYPE I-FOIA

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01868-TNM

ASSASSINATION ARCHIVES AND RESEARCH CENTER
v. DEPARTMENT OF JUSTICE
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 08/08/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**ASSASSINATION ARCHIVES AND
RESEARCH CENTER**

represented by **Kelly Brian McClanahan**
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ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF JUSTICE

represented by **Rhonda Lisa Campbell**
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Date Filed	#	Docket Text
08/08/2018	<u>1</u>	COMPLAINT against DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-5629406) filed by ASSASSINATION ARCHIVES AND RESEARCH CENTER. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> LCvR 7.1 certificate, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(McClanahan, Kelly) (Entered: 08/08/2018)
08/08/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ASSASSINATION ARCHIVES AND RESEARCH CENTER (zsb) (Entered: 08/09/2018)
08/09/2018		Case Assigned to Judge Trevor N. McFadden. (zsb) (Entered: 08/09/2018)
08/10/2018	<u>3</u>	STANDING ORDER establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 8/10/2018. (lctnm3) (Entered: 08/10/2018)
08/10/2018	<u>4</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 08/10/2018)
08/23/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/20/2018. (Answer due for ALL FEDERAL DEFENDANTS by 9/19/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/20/18., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed.

		DEPARTMENT OF JUSTICE served on 8/20/2018 (McClanahan, Kelly) (Entered: 08/23/2018)
09/13/2018	<u>6</u>	NOTICE of Appearance by Rhonda Lisa Campbell on behalf of DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 09/13/2018)
09/19/2018	<u>7</u>	ANSWER to Complaint by DEPARTMENT OF JUSTICE.(Campbell, Rhonda) (Entered: 09/19/2018)
09/24/2018		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before October 19, 2018. Signed by Judge Trevor N. McFadden on 9/24/2018. (lctnm3) (Entered: 09/24/2018)
09/24/2018		Set/Reset Deadlines: Joint Status Report due by 10/19/2018. (hmc) (Entered: 09/24/2018)
10/04/2018	<u>8</u>	ERRATA Answer (Corrected) by DEPARTMENT OF JUSTICE <u>7</u> Answer to Complaint filed by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit Answer (Corrected))(Campbell, Rhonda) (Entered: 10/04/2018)
10/19/2018	<u>9</u>	Joint STATUS REPORT by ASSASSINATION ARCHIVES AND RESEARCH CENTER. (McClanahan, Kelly) (Entered: 10/19/2018)
10/22/2018		MINUTE ORDER: Upon consideration of the parties' <u>9</u> Joint Status Report, it is hereby ORDERED that a further update shall be filed on or before December 7, 2018. This update shall propose a schedule for further proceedings as necessary. Signed by Judge Trevor N. McFadden on 10/22/2018. (lctnm3) (Entered: 10/22/2018)
10/22/2018		Set/Reset Deadlines: Joint Status Report due by 12/7/2018. (hmc) (Entered: 10/22/2018)
12/07/2018	<u>10</u>	Consent MOTION for Extension of Time to File <i>Joint Status Report</i> by ASSASSINATION ARCHIVES AND RESEARCH CENTER (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 12/07/2018)
12/10/2018		MINUTE ORDER: Upon consideration of the Plaintiff's <u>10</u> Consent Motion, it is hereby ORDERED that the parties shall file a Joint Status Report on or before January 11, 2019. This update shall propose a schedule for further proceedings as necessary. Counsel is directed to strictly comply with the Court's <u>3</u> Standing Order, including its provisions governing motions for extensions of time. Signed by Judge Trevor N. McFadden on 12/10/2018. (lctnm3) (Entered: 12/10/2018)
12/10/2018		Set/Reset Deadlines: Joint Status Report due by 1/11/2019. (tg) (Entered: 12/10/2018)
01/07/2019	<u>11</u>	Consent MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/07/2019)
01/08/2019		MINUTE ORDER: Upon considering the Defendant's <u>11</u> Motion to Stay, it is hereby ORDERED that this matter shall be stayed until Congress has restored appropriations to the Department of Justice. It is further ordered that the Defendants will notify the Court immediately upon resumption of appropriations. Signed by Judge Trevor N. McFadden on 1/8/2019. (lctnm3) (Entered: 01/08/2019)
01/30/2019	<u>12</u>	NOTICE of Restored Funding by DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 01/30/2019)
01/30/2019		MINUTE ORDER: Upon consideration of the Defendant's <u>12</u> Notice, the Court hereby lifts the stay in this case. The parties are ORDERED to file a status report with a proposed schedule for further proceedings on or before February 6, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/30/19. (lctnm3) (Entered: 01/30/2019)

01/30/2019		Set/Reset Deadlines: Joint Status Report due by 2/6/2019. (hmc) (Entered: 01/30/2019)
02/06/2019	<u>13</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 02/06/2019)
02/07/2019		MINUTE ORDER: Upon consideration of the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that a further report shall be filed on or before March 7, 2019. This report shall propose a schedule for further proceedings as necessary. Signed by Judge Trevor N. McFadden on 2/7/2019. (lctnm3) (Entered: 02/07/2019)
02/07/2019		Set/Reset Deadlines: Joint Status Report due by 3/7/2019. (hmc) (Entered: 02/07/2019)
03/07/2019	<u>14</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 03/07/2019)
03/11/2019		MINUTE ORDER: Upon consideration of the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further report on or before April 5, 2019. Beginning on April 5, 2019, the parties shall file a monthly Joint Status Report on or before the 5th of each month until the Defendant completes records production. The Joint Status Report submitted after the completion of production shall propose a schedule for further proceedings as necessary. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/11/2019. (lctnm3) (Entered: 03/11/2019)
03/11/2019		Set/Reset Deadlines: Joint Status Report due by 4/5/2019, and every 5th of each month thereafter. (hmc) (Entered: 03/11/2019)
04/05/2019	<u>15</u>	Joint STATUS REPORT by ASSASSINATION ARCHIVES AND RESEARCH CENTER. (McClanahan, Kelly) (Entered: 04/05/2019)
05/06/2019	<u>16</u>	Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Campbell, Rhonda) (Entered: 05/06/2019)
06/05/2019	<u>17</u>	Joint STATUS REPORT , <i>Defendant's Motion to Modify the Schedule for Status Reports, and Plaintiff's Motion to Set Briefing Schedule</i> by ASSASSINATION ARCHIVES AND RESEARCH CENTER. (Attachments: # <u>1</u> Text of Proposed Order – Defendant, # <u>2</u> Text of Proposed Order – Plaintiff)(McClanahan, Kelly) (Entered: 06/05/2019)
06/05/2019	18	MOTION to Modify, MOTION for Briefing Schedule by ASSASSINATION ARCHIVES AND RESEARCH CENTER. (See Docket Entry <u>17</u> to view document) (tth) (Entered: 06/06/2019)
06/06/2019		MINUTE ORDER: Upon consideration of the parties' <u>17</u> Joint Status Report and the accompanying motions, a status hearing is hereby scheduled for July 8, 2019 at 10 a.m. in Courtroom 2 before Judge Trevor N. McFadden. Signed by Judge Trevor N. McFadden on 6/6/2019. (lctnm3) (Entered: 06/06/2019)
06/06/2019		Set/Reset Hearings: Status Conference set for 7/8/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 06/06/2019)
06/07/2019		MINUTE ORDER: The Status Conference currently set for July 8, 2019 is hereby continued until August 6, 2019 at 10:30 a.m. in Courtroom 2 before Judge Trevor N. McFadden. Signed by Judge Trevor N. McFadden on 6/7/2019. (lctnm3) (Entered: 06/07/2019)
06/07/2019		Set/Reset Hearings: Status Conference rescheduled to 8/6/2019 at 10:30 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 06/07/2019)
08/05/2019	<u>19</u>	Joint STATUS REPORT by ASSASSINATION ARCHIVES AND RESEARCH CENTER. (McClanahan, Kelly) (Entered: 08/05/2019)
08/06/2019		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference held on 8/6/2019. Plaintiff's Partial Motion for Summary Judgment due by 9/13/2019. Defendant's Opposition to Plaintiff's Motion due by 10/4/2019. Plaintiff's Reply due by 10/25/2019. Motion Hearing set for 11/6/2019 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. The monthly Joint Status Report requirement is lifted between 8/6/2019 and 11/6/2019. Plaintiff's oral motion to compel the Government to move for an Open America stay, heard and denied. (Court Reporter: Nancy Meyer.) (hmc) Modified on 8/6/2019 to edit Plaintiff's oral motion

		(hmc). (Entered: 08/06/2019)
08/07/2019	<u>20</u>	TRANSCRIPT OF PROCEEDINGS before Judge Trevor N. McFadden held on 08/06/2019; Page Numbers: 1–16. Date of Issuance: 08/07/2019. Court Reporter: Nancy J. Meyer, Telephone number (202) 354–3118, Tape Number: N/A. Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 8/28/2019. Redacted Transcript Deadline set for 9/7/2019. Release of Transcript Restriction set for 11/5/2019.(Meyer, Nancy) (Entered: 08/07/2019)
09/09/2019	<u>21</u>	Unopposed MOTION for Extension of Time to File <i>Motion for Partial Summary Judgment</i> by ASSASSINATION ARCHIVES AND RESEARCH CENTER (Attachments: # <u>1</u> Text of Proposed Order)(McClanahan, Kelly) (Entered: 09/09/2019)
09/10/2019		MINUTE ORDER. Upon consideration of the Plaintiff's <u>21</u> Motion for Extension, it is hereby ORDERED that the case shall be stayed through March 9, 2020. Should Mr. Lesar's condition improve before March 10, 2020, the Plaintiff shall promptly inform the Court. The summary judgment briefing schedule is modified as follows: Plaintiff's Partial Motion for Summary Judgment shall be due on March 10, 2020. Defendant's Opposition shall be due by March 31, 2020. Plaintiff's Reply shall be due by April 21, 2020. Motion hearing set for May 4, 2020 at 10 a.m. in Courtroom 2 before Judge Trevor N. McFadden. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/10/2019. (lctnm3) (Entered: 09/10/2019)
09/10/2019		Case Stayed through March 9, 2020. (tg) (Entered: 09/11/2019)
09/11/2019		Set/Reset Deadlines/Hearings: Partial Summary Judgment motion due by 3/10/2020; opposition to partial Motion for Summary Judgment due by 3/31/2020. reply due by 4/21/2020. Motion Hearing set for 5/4/2020, at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (tg) (Entered: 09/11/2019)